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**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

**WRIT PETITION NO : 18171 of 2004**

Between:

S. Aquter Babu, S/o. Late Damodaraiah,
Dravidian University, Kuppam, Chittoor District.

**..... PETITIONER**

AND

1 The Dravidian University, Kuppam, Chittoor District,
rep. by its Registrar.
2 The Executive Council, rep. by its Chairman -cum-Vice Chancellor,
Dravidian University, Kuppam, Chittoor District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the proceedings of the Executive Council (R2) in Letter No.DU/T Estt/2003 dt. 11.7.2003 as arbitrary, discriminatory and illegal and consequently set aside the same as direct the Respondents to regularize the services of the Petitioner in the cadre of Asst. Professor in the Dept., of Computer Science w.e.f. 22.5.2000, pursuant to his appointment to the said post made vide Proc.No.DU/Estt.(T)/2000-47 dt. 10.4.2000 of the 1st respondent and with all other consequential benefits monetary and otherwise.

**Counsel for the Petitioner:MR.V.JAGAPATHI**

**Counsel for the Respondent No.: .**

The Court at the stage of admission made the following :

**ORDER:**

The petitioner is contending that he was appointed as an Assistant Professor in the Department of Computer Science of the first respondent-University through the proceedings dated 10-04-2000 initially, for a period of two years. He joined duty on 22-05-2000 and continued in service without any break. Through the proceedings dated 30-04-2002, the petitioner's services were extended for two more years in the same scale of pay. O n 27-11-2002, the first respondent-University issued a notification for filling up the vacant posts of Assistant Professors and the appointment orders were issued to the selected candidates and they were sanctioned annual increments on completion of one year service. Subsequently, through the proceedings dated 11-07-2003, the petitioner was appointed as an Assistant Professor on regular basis in the scale of pay with effect from 28-06-2003 and he was placed on probation for a period of two years with effect from 28-06-2003. The grievance of the petitioner is that he was granted the first annual increment with effect from 01-06-2004, but he contends that he is entitled to get the annual increments from 01-05-2001 on completion of one year from the date of his initial appointment. The petitioner and other similarly placed candidates submitted a joint representation to the first respondent on 31-07-2003 for sanction of annual increments and regularization of their services etc. Subsequently also, they submitted several representations, and the latest representation was made by him on 19-08-2004, but no orders have been passed by the first respondent on those representations. The petitioner, therefore, approached this Court through this writ petition seeking to declare that the order of the second respondent dated 11-07-2003 keeping him on probation for a period of two years as illegal and arbitrary and to direct the respondents to regularize his services as an Assistant Professor in the Department of Computer Sciences from the date of his initial joining of duty i.e. 22-05-2000.

The petitioner contends that he submitted several representations including a representation dated 19-08-2004 to the first respondent, but no orders have been passed by the first respondent. Since the representations are pending with the first respondent, it cannot be said that the respondent passed any adverse orders against the petitioner. Therefore, it would be appropriate to direct the first respondent

to consider the representations of the petitioner and pass appropriate orders.

In the light of the above circumstances, the first respondent is directed to consider the representations of the petitioner including the latest representation dated 19-08-2004 regarding his claim for regularization of his service with effect from 22-05-2000 and pass appropriate orders according to the existing rules within two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. If the petitioner so desires, he may make a fresh representation before the first respondent considering his earlier representations.

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Dr. G. Yethirajulu, J.

Dt: 7th October, 2004.

NOTE: CC in three days.

(B/O)

RNS.

To

1 The Registrar,

Dravidian University, Kuppam, Chittoor District,

2 The Chairman -cum-Vice Chancellor,

Executive Council,
Dravidian University,

Kuppam, Chittoor District.

3. Two CD copies.